

Congress to occupy the field in which that provision operates, including criminal penalties, to the exclusion of any State law on the same subject matter which would otherwise be within the authority of the State, unless there is a positive conflict between that provision of this subchapter and that State law so that the two cannot consistently stand together.

(Pub. L. 91-513, title II, §708, Oct. 27, 1970, 84 Stat. 1284.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, as amended, and is popularly known as the "Controlled Substances Act". For complete classification of title II to the Code, see second paragraph of Short Title note set out under section 801 of this title and Tables.

#### § 904. Payment of tort claims

Notwithstanding section 2680(k) of title 28, the Attorney General, in carrying out the functions of the Department of Justice under this subchapter, is authorized to pay tort claims in the manner authorized by section 2672 of title 28, when such claims arise in a foreign country in connection with the operations of the Drug Enforcement Administration abroad.

(Pub. L. 91-513, title II, §709, Oct. 27, 1970, 84 Stat. 1284; Pub. L. 93-481, §1, Oct. 26, 1974, 88 Stat. 1455; Pub. L. 95-137, §1(a), Oct. 18, 1977, 91 Stat. 1169; Pub. L. 96-132, §§13, 15, Nov. 30, 1979, 93 Stat. 1048; Pub. L. 97-414, §9(g)(1), Jan. 4, 1983, 96 Stat. 2064.)

#### Editorial Notes

##### AMENDMENTS

1983—Pub. L. 97-414 struck out subsections (a) and (b) which had provided, respectively, that (a) there were authorized to be appropriated \$105,000,000 for the fiscal year ending June 30, 1975, \$175,000,000 for the fiscal year ending June 30, 1976, \$200,000,000 for the fiscal year ending September 30, 1977, \$188,000,000 for the fiscal year ending September 30, 1978, \$215,000,000 for the fiscal year ending September 30, 1979, and \$198,336,000 for the fiscal year ending September 30, 1980, for the expenses of the Department of Justice in carrying out its functions under this subchapter, and that (b) no funds appropriated under any other provision of this chapter could be used for the expenses of the Department of Justice for which funds were authorized to be appropriated by former subsection (a) of this section, and removed the subsection designator (c) before "Notwithstanding".

1979—Subsec. (a). Pub. L. 96-132, §15, inserted provisions authorizing appropriations of \$198,336,000 for the fiscal year ending Sept. 30, 1980.

Subsec. (c). Pub. L. 96-132, §13, added subsec. (c).

1977—Subsec. (a). Pub. L. 95-137 substituted "September 30, 1977, \$188,000,000 for the fiscal year ending September 30, 1978, and \$215,000,000 for the fiscal year ending September 30, 1979," for "June 30, 1977," and struck out "(other than its expenses incurred in connection with carrying out section 803(a) of this title)".

1974—Pub. L. 93-481 designated existing provisions as subsec. (a), substituted authorization of appropriations for fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977, for authorization of appropriations for fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974, and added subsec. (b).

## SUBCHAPTER II—IMPORT AND EXPORT

### Editorial Notes

#### CODIFICATION

This subchapter is comprised of Part A of title III of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1285. Part B of title III contains amendatory, repealing, and transitional provisions generally classified elsewhere.

#### § 951. Definitions

(a) For purposes of this subchapter—

(1) The term "import" means, with respect to any article, any bringing in or introduction of such article into any area (whether or not such bringing in or introduction constitutes an importation within the meaning of the tariff laws of the United States).

(2) The term "customs territory of the United States" has the meaning assigned to such term by general note 2 of the Harmonized Tariff Schedule of the United States.

(b) Each term defined in section 802 of this title shall have the same meaning for purposes of this subchapter as such term has for purposes of subchapter I.

(Pub. L. 91-513, title III, §1001, Oct. 27, 1970, 84 Stat. 1285; Pub. L. 100-418, title I, §1214(m), Aug. 23, 1988, 102 Stat. 1158.)

### Editorial Notes

##### REFERENCES IN TEXT

The Harmonized Tariff Schedule of the United States, referred to in subsec. (a)(2), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of Title 19, Customs Duties.

This subchapter, referred to in subsections (a) and (b), was in the original "this title", meaning title III of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1285, as amended. Part A of title III comprises this subchapter. For classification of Part B, consisting of sections 1101 to 1105 of title III, see Tables.

##### AMENDMENTS

1988—Subsec. (a)(2). Pub. L. 100-418 substituted "general note 2 of the Harmonized Tariff Schedule of the United States" for "general headnote 2 to the Tariff Schedules of the United States".

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-418 effective Jan. 1, 1989, and applicable with respect to articles entered on or after such date, see section 1217(b)(1) of Pub. L. 100-418, set out as an Effective Date note under section 3001 of Title 19, Customs Duties.

##### EFFECTIVE DATE

Pub. L. 91-513, title III, §1105(a)-(c), Oct. 27, 1970, 84 Stat. 1295, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that:

"(a) Except as otherwise provided in this section, this title [see Short Title note below] shall become effective on the first day of the seventh calendar month that begins after the day immediately preceding the date of enactment [Oct. 27, 1970].

"(b) Sections 1000, 1001, 1006, 1015, 1016, 1103, 1104 [see Short Title note below and sections 171 note, 951, 956, 957 note, 965, and 966 of this title], and this section shall become effective upon enactment [Oct. 27, 1970].

"(c)(1) If the Attorney General, pursuant to the authority of section 704(c) of title II [set out as a note